

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NORTH STAR GAS COMPANY,
Plaintiff,
v.
PACIFIC GAS AND ELECTRIC
COMPANY, et al.,
Defendants.


Case No. [15-cv-02575-HSG](#)

**ORDER DIRECTING PLAINTIFF TO
FILE STATEMENT**

Defendant's motion to dismiss the First Amended Complaint ("MTD") is pending in this matter. Among other things, the MTD seeks dismissal of Plaintiff's Section 2 Sherman Act claim alleging attempted monopolization. The Court notes that on May 19, 2017, the plaintiff in the action titled *United Energy Trading, LLC v. Pac. Gas and Elec.*, 15-cv-2383, stipulated to dismissal of the substantially similar Section 2 Sherman Act claim in that case. The Court further notes that the plaintiff in *United Energy Trading* is represented by the same counsel who represent Plaintiff in this case. Accordingly, the Court **DIRECTS** Plaintiff to file a statement by August 31, 2017 indicating whether it seeks to continue to pursue the Section 2 Sherman Act claim in this case. If Plaintiff seeks to pursue this claim, Plaintiff should explain what, if any, circumstances distinguish this case from *United Energy Trading*.

IT IS SO ORDERED.

Dated: 8/29/2017


HAYWOOD S. GILLIAM, JR.
United States District Judge